

The House Committee on Rules offers the following substitute to SB 68:

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to  
2 strengthen provisions relating to the financial management of local school systems; to  
3 provide for training for local board of education members and local school superintendents  
4 on financial management; to provide for monthly reporting to the local board of education  
5 on the financial stability of the local school system; to provide for designation by the  
6 Department of Audits and Accounts of high-risk local school systems and moderate-risk  
7 local school systems based on annual audits; to provide for financial management provisions  
8 in flexibility contracts and system charters; to provide for appointment of the Chief  
9 Turnaround Officer by the Governor; to provide for the role of the State School  
10 Superintendent in identifying turnaround eligible schools; to repeal a provision relating to  
11 grants to assist schools with demonstrated financial need; to provide for annual reporting by  
12 the Chief Turnaround Officer; to provide for a pilot program to retain highly effective teacher  
13 leaders in turnaround schools; to provide a separate appeals process for certain performance  
14 ratings contained in personnel evaluations for teachers who accepted a school year contract  
15 for the fourth or subsequent consecutive school year; to provide for the establishment of  
16 appeals policies by local units of administration; to provide for appeals hearings to be  
17 conducted by independent third parties or system administrators; to require local units of  
18 administration to submit copies of their complaint policies to the Department of Education;  
19 to require local boards of education to have a public comment period at every meeting; to  
20 provide for related matters; to repeal conflicting laws; and for other purposes.

21                   **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

22

**PART I**

23

**SECTION 1-1.**

24 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
25 revising Code Section 20-2-49, relating to standards for local board of education members,  
26 as follows:

27 "20-2-49.

28 The General Assembly finds that local boards of education play a critical role in setting the  
29 policies that lead to the operation and success of local school systems. School board  
30 members hold special roles as trustees of public funds, including local, state, and federal  
31 funds, while they focus on the singular objective of ensuring each student in the local  
32 school system receives a quality basic education. Board duties require specialized skills  
33 and training in the performance of vision setting, policy making, approving multimillion  
34 dollar budgets, financial management, and hiring a qualified superintendent. The  
35 motivation to serve as a member of a local board of education should be the improvement  
36 of schools and academic achievement of all students. Service on a local board of education  
37 is important citizen service. Given the specialized nature and unique role of membership  
38 on a local board of education, this elected office should be characterized and treated  
39 differently from other elected offices where the primary duty is independently to represent  
40 constituent views. Local board of education members should abide by a code of conduct  
41 and conflict of interest policy modeled for their unique roles and responsibilities. And  
42 although there are many measures of the success of a local board of education, one is  
43 clearly essential: maintaining accreditation and the opportunities it allows the school  
44 system's students."

45

**SECTION 1-2.**

46 Said title is further amended by revising subsection (e) of Code Section 20-2-51, relating to  
47 election of local board of education members, persons ineligible to be members or  
48 superintendent, ineligibility for local boards of education, and ineligibility for other elective  
49 offices, as follows:

50 "(e) In addition to any other requirements provided by law, no person shall be eligible for  
51 election as a member of a local board of education unless he or she:

52 (1) Has read and understands the code of ethics and the conflict of interest provisions  
53 applicable to members of local boards of education and has agreed to abide by them; ~~and~~  
54 (2) Has agreed to annually disclose compliance with the State Board of Education's  
55 policy on training for members of local boards of education, the code of ethics of the

56 local board of education, and the conflict of interest provisions applicable to members of  
57 local boards of education; and

58 (3) Has completed all prior annual training requirements established by the local board  
59 of education and the State Board of Education pursuant to Code Section 20-2-230 if such  
60 person is eligible for reelection as a member of the local board of education.

61 Each person offering his or her candidacy for election as a member of a local board of  
62 education shall file an affidavit with the officer before whom such person has qualified for  
63 such election prior to or at the time of qualifying, which affidavit shall affirm that he or she  
64 meets all of the qualifications required pursuant to this subsection. This subsection shall  
65 apply only to local board of education members elected or appointed on or after July 1,  
66 2010."

67 **SECTION 1-3.**

68 Said title is further amended by revising Code Section 20-2-58, relating to regular monthly  
69 meeting of local boards, adjournment, temporary presiding officer, and notice of date, as  
70 follows:

71 "20-2-58.

72 (a) It shall be the duty of each local board of education to hold a regular meeting during  
73 each calendar month for the transaction of business pertaining to the public schools and to  
74 review the financial status of the local school system. Any such meeting may be adjourned  
75 from time to time, and, in the absence of the president or secretary, the members of the  
76 local board may appoint one of their own number to serve temporarily. The local board  
77 shall annually determine the date of its meeting and shall publish it either in the official  
78 county organ or, at the option of the local board of education, in a newspaper having a  
79 general circulation in said county at least equal to that of the official county organ for two  
80 consecutive weeks following the setting of the date; provided, however, that the date shall  
81 not be changed more often than once in 12 months and, if changed, the new date shall also  
82 be published as provided in this Code section.

83 (b) The State Board of Education shall create a template for local boards of education to  
84 use to review the financial status of their local school systems, which shall include, at a  
85 minimum, a statement of revenues, expenditures, and encumbrances."

86 **SECTION 1-4.**

87 Said title is further amended by revising Code Section 20-2-61, relating to fundamental roles  
88 of local boards of education and local school superintendents, as follows:

89 "20-2-61.

90 (a) The fundamental role of a local board of education shall be to establish policy for the  
91 local school system with the focus on student achievement. The fundamental role of a  
92 local school superintendent shall be to implement the policy established by the local board.  
93 It shall not be the role of the local board of education or individual members of such board  
94 to micromanage the superintendent in executing his or her duties, but it shall be the duty  
95 of the local board to hold the local school superintendent accountable in the performance  
96 of his or her duties; provided, however, that requesting and reviewing financial data and  
97 documents shall not constitute micromanaging. Local board of education members should  
98 work together with the entire local board of education and shall not have authority as  
99 independent elected officials but shall only be authorized to take official action as members  
100 of the board as a whole. Nothing in this subsection shall be construed to alter, limit,  
101 expand, or enlarge any powers, duties, or responsibilities of local boards of education, local  
102 board members, or local school superintendents.

103 (b) Except as may be allowed by law, no local board of education shall delegate or attempt  
104 to delegate its policy-making functions."

105 **SECTION 1-5.**

106 Said title is further amended by revising Code Section 20-2-67, relating to local school  
107 system or school subject to corrective action plan for budget deficit, financial operations  
108 form, publication, and mailing to Department of Education and local governing body, as  
109 follows:

110 "20-2-67.

111 (a) When an audit by the Department of Audits and Accounts finds and reports  
112 irregularities or budget deficits in the fund accounting information regarding a local school  
113 system or a school within the local school system, the Department of Audits and Accounts  
114 shall report the findings of irregularities or budget deficits to the State Board of Education  
115 and the local board of education. The Department of Audits and Accounts shall designate  
116 local school systems that have had reported irregularities or budget deficits for three or  
117 more consecutive years as high-risk local school systems and shall designate local school  
118 systems that have had reported irregularities or budget deficits for one year or two  
119 consecutive years as moderate-risk local school systems.

120 (b) The State Board of Education shall inform the superintendent of the local school  
121 system of the irregularities or budget deficits regarding a local school system's or a school's  
122 fund accounting information, including if a local school system has been designated as a  
123 high-risk local school system or moderate-risk local school system. The superintendent  
124 shall submit to the Department of Education a response to the findings and a corrective

125 action plan approved by the local board of education at a board meeting within 120 days  
126 of receiving notice of designation as a high-risk local school system or moderate-risk local  
127 school system, as defined by rules and regulations adopted by the State Board of Education  
128 designed to correct the financial irregularities or budget deficits for the school or school  
129 system. From the time such irregularity or budget deficit is discovered until the time it is  
130 eliminated, the local school superintendent shall present to each member of the local board  
131 of education for his or her review and written acknowledgment a monthly report containing  
132 all anticipated expenditures by budget function for such school or school system during the  
133 current month. The report shall be presented to local board members on or before the tenth  
134 business day of each month. Each monthly report shall be signed by each member of that  
135 local board and recorded and retained in the minutes of the meeting of the local board of  
136 education.

137 (c) Not later than September 30 of the year, each local board of education shall cause to  
138 be published in the official county organ wherein the local school system is located once  
139 a week for two weeks a statement of actual financial operations for such schools or school  
140 system identified by the Department of Audits and Accounts as having financial  
141 irregularities. Such statement of actual financial operations shall be in a form to be  
142 specified and prescribed by the state auditor for the purpose of indicating the current  
143 financial status of the schools or school system. Prior to publication, such form shall be  
144 executed by the local board of education and signed by each member of said board and the  
145 local school superintendent.

146 (d) A copy of the actual financial operations form required to be published by  
147 subsection (c) of this Code section shall be mailed by each local board of education to the  
148 Department of Education and the local county board of commissioners or local municipal  
149 governing authority. A current copy of said form shall be maintained on file in the central  
150 administrative office of the local school system for public inspection for a period of at least  
151 two years from the date of its publication. Copies of the statement shall be made available  
152 on request."

## 153 SECTION 1-6.

154 Said title is further amended by revising Code Section 20-2-82, relating to contract terms for  
155 local school systems requesting flexibility, as follows:

156 "20-2-82.

157 (a) The local board of education and the department shall enter into negotiations on the  
158 appropriate terms of the contract, including the accountability, flexibility, and  
159 consequences components of the contract in accordance with Code Section 20-2-84, in

160 consultation with the Office of Student Achievement. The accountability, flexibility, and  
161 consequences components may vary between schools and clusters.

162 (b) The flexibility requested by a local school system pursuant to subsection (b) of Code  
163 Section 20-2-84 shall result in consequences in accordance with subsection (c) of Code  
164 Section 20-2-84 and Code Section 20-2-84.1 for noncompliance with the accountability  
165 requirements established pursuant to subsection (a) of Code Section 20-2-84.

166 (c) The department, in consultation with the Office of Student Achievement, shall make  
167 a recommendation to the state board on whether the proposed terms of the contract should  
168 be approved by the state board. Such proposed terms of the contract shall require that a  
169 local school system has not been designated as a high-risk local school system by the  
170 Department of Audits and Accounts pursuant to Code Section 20-2-67, or if it has been  
171 designated as a high-risk local school system, the contract shall require that the local school  
172 system has a written corrective action plan in place and that local school system board  
173 members and appropriate personnel participate in required training to address the  
174 deficiencies.

175 (d)(1) The state board shall have the authority to approve or deny approval of the  
176 proposed terms of the contract but shall give all due consideration to the recommendation  
177 and input from the Office of Student Achievement.

178 (2) In the event that the state board denies approval of the proposed terms of the contract,  
179 the local board of education shall work with the department, in consultation with the  
180 Office of Student Achievement, for further revisions and resubmission to the state board.

181 (e) The state board shall be authorized to approve a waiver or variance request of  
182 specifically identified state rules, regulations, policies, and procedures or provisions of this  
183 chapter upon the inclusion of such request in the local school system's proposed contract  
184 and in accordance with subsection (b) of Code Section 20-2-84. The goal for each waiver  
185 and variance shall be improvement of student performance. The state board shall not be  
186 authorized to waive or approve variances on any federal, state, and local rules, regulations,  
187 court orders, and statutes relating to civil rights; insurance; the protection of the physical  
188 health and safety of school students, employees, and visitors; conflicting interest  
189 transactions; the prevention of unlawful conduct; any laws relating to unlawful conduct in  
190 or near a public school; any reporting requirements pursuant to Code Section 20-2-320 or  
191 Chapter 14 of this title; the requirements of Code Section 20-2-210; the requirements of  
192 Code Section 20-2-211.1; or the requirements in subsection (c) of Code Section 20-2-327.  
193 A local school system that has received a waiver or variance shall remain subject to the  
194 provisions of Part 3 of Article 2 of Chapter 14 of this title, the requirement that it shall not  
195 charge tuition or fees to its students except as may be authorized for local boards by Code

196 Section 20-2-133, and shall remain open to enrollment in the same manner as before the  
197 waiver request."

198 **SECTION 1-7.**

199 Said title is further amended by revising Code Section 20-2-83, relating to state board  
200 approval of local school board flexibility contract, as follows:

201 "20-2-83.

202 (a) Upon approval of a proposed contract of a local school system which has requested  
203 flexibility, the state board shall enter into such contract with the local board of education.

204 (b) The terms of the contract shall include, but not be limited to, accountability, flexibility,  
205 and consequences components as negotiated pursuant to subsection (a) of Code Section  
206 20-2-82 and in accordance with Code Section 20-2-84.

207 (c) The terms of the contract shall also include specific requirements relating to  
208 maintaining or achieving financial stability of the local school system, including ensuring  
209 that the local school system has not been designated as a high-risk local school system by  
210 the Department of Audits and Accounts pursuant to Code Section 20-2-67, or if it has been  
211 designated as a high-risk local school system, that it has a written corrective action plan in  
212 place and that local school system board members and appropriate personnel participate  
213 in required training to address the deficiencies.

214 (e)(d) Each contract shall be for a term of six years. The terms of the contract may provide  
215 for automatic extension of such contract if a local school system has met its accountability  
216 requirements.

217 (d)(e) The terms of a contract may be amended during the term of the contract only upon  
218 approval of the state board and the local board of education."

219 **SECTION 1-8.**

220 Said title is further amended by revising Code Section 20-2-84.2, relating to state monitoring,  
221 as follows:

222 "20-2-84.2.

223 (a) The Office of Student Achievement shall revise the single state-wide accountability  
224 system established pursuant to paragraph (1) of subsection (a) of Code Section 20-14-26  
225 for submission to the state board for approval to integrate the requirements of this article,  
226 to the greatest extent practicable, including, but not limited to, the loss of governance  
227 consequences provided for in Code Section 20-2-84.1.

228 (b) The Office of Student Achievement shall monitor each local school system's progress  
229 toward meeting its performance goals in its contract and shall notify the department if a  
230 local school system is not in compliance with such performance goals. The department

231 shall provide support and guidance to school systems not meeting their yearly progress  
232 goals.

233 (c) The department shall monitor each local school system's financial stability and provide  
234 support and guidance to local school systems that are designated as high-risk local school  
235 systems or moderate-risk local school systems by the Department of Audits and Accounts  
236 pursuant to Code Section 20-2-67 or are at risk of being designated as high-risk local  
237 school systems or moderate-risk local school systems."

238 **SECTION 1-9.**

239 Said title is further amended by revising Code Section 20-2-103, relating to oath of local  
240 school superintendent, as follows:

241 "20-2-103.

242 Before entering upon the discharge of his or her official duties, the local school  
243 superintendent shall take and subscribe to the following oath of office:

244 STATE OF GEORGIA

245 COUNTY OF \_\_\_\_\_

246 I, \_\_\_\_\_, do solemnly swear or affirm that I will truly perform the  
247 duties of local school superintendent of the \_\_\_\_\_ School System  
248 to the best of my ability.

249 I do further swear or affirm:

250 (1) That I am not the holder of any unaccounted for public money due this state or any  
251 political subdivision or authority thereof and that I will manage the finances of the local  
252 school system in compliance with all applicable laws and regulations;

253 (2) That I am not the holder of any office of trust under the government of the United  
254 States, any other state, or any foreign state which I am by the laws of the State of Georgia  
255 prohibited from holding;

256 (3) That I am otherwise qualified to hold said office according to the Constitution and  
257 the laws of Georgia; and

258 (4) That I will support the Constitution of the United States and of this state.

259 \_\_\_\_\_

260 Signature of local school superintendent

261 \_\_\_\_\_

262 Typed name of local school superintendent

263       Sworn and subscribed  
264       before me this \_\_\_\_\_ day  
265       of \_\_\_\_\_, \_\_\_\_.  
266       (SEAL)."

## SECTION 1-10.

268 Said title is further amended by revising Code Section 20-2-109, relating to duties of local  
269 school superintendents, as follows:

270 "20-2-109.

271       (a) The local school superintendent shall constitute the medium of communication  
272       between the State School Superintendent and subordinate local school officers. The local  
273       school superintendent shall be the executive officer of the local board of education; shall  
274       be the agent of the local board in procuring such school equipment and materials as it may  
275       order; shall ensure that the prescribed textbooks are used by students; shall verify all  
276       accounts before an application is made to the local board for an order for payment; and  
277       shall keep a record of all official acts, which, together with all the books, papers, and  
278       property appertaining to the office, shall be turned over to the successor. It shall be the  
279       local school superintendent's duty to enforce all regulations and rules of the State School  
280       Superintendent and of the local board according to the laws of the state and the rules and  
281       regulations made by the local board that are not in conflict with state laws; and to visit  
282       every school within the local school system to become familiar with the studies taught in  
283       the schools, observe what advancement is being made by the students, counsel with the  
284       faculty, and otherwise aid and assist in the advancement of public education.

285 (b) The local school superintendent shall report monthly to the local board of education  
286 the financial status of the local school system in accordance with Code Section 20-2-58.  
287 Each local board of education which governs a local school system that has been  
288 designated as a high-risk local school system or moderate-risk local school system by the  
289 Department of Audits and Accounts pursuant to Code Section 20-2-67 shall require the  
290 local school superintendent to complete training on financial management and financial  
291 governance of a local school system."

## SECTION 1-11.

293 Said title is further amended by revising Code Section 20-2-230, relating to staff  
294 development programs, as follows:

295 "20-2-230.

296 (a) All public school officials and professional personnel certificated by the Professional  
297 Standards Commission shall be provided the opportunity to continue their development

298 throughout their professional careers. The primary purpose of the staff development  
299 sponsored or offered by local boards of education and the Department of Education shall  
300 be the implementation of this policy. Two additional purposes of such staff development  
301 programs shall be to adopt into general practice the findings of scientifically designed  
302 research which has been widely replicated, particularly as it relates to teacher and school  
303 effectiveness, and to address professional needs and deficiencies identified during the  
304 process of objective performance evaluations.

305 (b)(1) The State Board of Education shall adopt a training program for members of local  
306 boards of education by July 1, 2011. The State Board of Education may periodically  
307 adopt revisions to such training program as it deems necessary.

308 (2) Within three months of adoption by the State Board of Education of a training  
309 program pursuant to paragraph (1) of this subsection, each local board of education shall  
310 adopt a training program for members of such boards that includes, at a minimum, such  
311 training program and requirements established by the State Board of Education pursuant  
312 to paragraph (1) of this subsection. Each local board of education shall incorporate any  
313 revisions adopted by the State Board of Education to the training program pursuant to  
314 paragraph (1) of this subsection within three months of adoption of such revisions.

315 (3) All local boards of education are authorized to pay such board members for  
316 attendance at a required training program the same per diem as authorized by local or  
317 general law for attendance at regular meetings, as well as reimbursement of actual  
318 expenses for travel, lodging, meals, and registration fees for such training, either before  
319 or after such board members assume office.

320 (c) The State Board of Education shall require each newly elected member of a local board  
321 of education to receive guidance and training regarding his or her own local school  
322 system's most recent audit findings and the risk status of the local school system as  
323 determined by the Department of Audits and Accounts or the Department of Education.  
324 Such training for newly elected board members shall also include training on the role of  
325 the local school superintendent with respect to financial management and financial  
326 governance of a local school system.

327 (d) The State Board of Education shall require members of local boards of education to  
328 complete the training required under this Code section with either the Department of  
329 Education or the Department of Audits and Accounts if the local board of education has  
330 been designated by the Department of Audits and Accounts as a high-risk local school  
331 system pursuant to Code Section 20-2-67 or if the Department of Audits and Accounts has  
332 determined that corrective actions have not been implemented or devised to correct serious  
333 findings in the local school system's Department of Audits and Accounts audit report from  
334 the previous year."

335

**SECTION 1-12.**

336 Said title is further amended by revising Code Section 20-2-2063.2, relating to charter  
337 systems, as follows:

338 "20-2-2063.2.

339 (a) The state board shall be authorized to enter into a charter with a local board to establish  
340 a local school system as a charter system.

341 (b) A local board seeking to create a charter system must submit a petition to the state  
342 board. Prior to submitting such petition, the local board shall:

343 (1) Adopt a resolution approving the proposed charter system petition;

344 (2) Conduct at least two public hearings and provide notice of the hearings in the same  
345 manner as other legal notices of the local board; and

346 (3) Send a notice to each principal within the local school system of the hearings with  
347 instructions that each school shall distribute the notice to faculty and instructional staff  
348 members and to the parent or guardian of each student enrolled in the school.

349 The local board may revise its proposed charter system petition, upon resolution, as a result  
350 of testimony at the public hearings or for other purposes.

351 (c) Prior to approval or denial of a charter petition for a charter system, the state board  
352 shall receive and give all due consideration to the recommendation and input from the  
353 Charter Advisory Committee established in Code Section 20-2-2063.1. The state board  
354 shall approve the charter if the state board finds, after receiving input from the Charter  
355 Advisory Committee, that the petition complies with the rules, regulations, policies, and  
356 procedures promulgated pursuant to Code Section 20-2-2063 and the provisions of this  
357 title, is in the public interest, and promotes school level governance. A charter for a charter  
358 system shall include the interventions, sanctions, and loss of governance consequences  
359 contained in Code Section 20-14-41. A charter for a charter system shall require that the  
360 local school system has not been designated as a high-risk local school system by the  
361 Department of Audits and Accounts pursuant to Code Section 20-2-67, or if it has been  
362 designated as a high-risk local school system, the charter shall require that the local school  
363 system has a written corrective action plan in place and that local school system board  
364 members and appropriate personnel participate in required training to address the  
365 deficiencies.

366 (d) All schools within an approved charter system shall be system charter schools except  
367 as otherwise provided in subsections (f) and (g) of this Code section.

368 (e)(1) Subject to appropriations by the General Assembly or other available funding, the  
369 state board, after receiving input and recommendations from the Charter Advisory  
370 Committee, shall disburse planning grants to local school systems which desire to

371 become charter systems. Such grants will be disbursed in accordance with any applicable  
372 guidelines, policies, and requirements established by the state board.

373 (2) Subject to specific appropriations by the General Assembly for this purpose, the state  
374 board shall disburse implementation grants in the amount of \$125,000.00 or such other  
375 amount as determined by the state board to each charter system. The state board shall be  
376 authorized to approve up to five petitions for charter systems during fiscal year 2008, and  
377 may approve up to a maximum number of petitions in following years as may be  
378 established pursuant to board rules and as subject to availability of funding for  
379 implementation grants.

380 (f) A system charter school shall not be precluded from petitioning to become a conversion  
381 charter school, in accordance with Code Section 20-2-2064, not subject to the terms of the  
382 system charter. In the event a system charter school becomes a conversion charter school,  
383 the system charter shall be amended to reflect that such school is no longer bound by the  
384 system charter.

385 (g) An existing conversion or start-up charter school within a local school system which  
386 is petitioning to become a charter system shall have the option of continuing under its own  
387 existing charter, not subject to the terms of the system charter, or of terminating its existing  
388 charter, upon agreement by the local board and state board, and becoming subject to the  
389 system charter as a charter system school."

390 **SECTION 1-13.**

391 Said title is further amended by revising subsection (a) of Code Section 20-2-2063.3, relating  
392 to code of principles and standards for charter school authorizers, as follows:

393 "(a) The State Board of Education and the State Charter Schools Commission shall jointly  
394 establish a code of principles and standards of charter school authorizing to guide local  
395 boards of education, the state board, and the State Charter Schools Commission in meeting  
396 high-quality authorizing practices. The principles and standards established by the state  
397 board and the State Charter Schools Commission shall include:

398 (1) Maintaining high standards for approving charter petitions;  
399 (2) Establishing high academic, financial, and operational performance standards for  
400 charter schools;  
401 (3) Annually monitoring, evaluating, and reporting charter school progress in meeting  
402 academic, financial, and operational performance standards, including ensuring that a  
403 local school system has not been designated as a high-risk local school system by the  
404 Department of Audits and Accounts pursuant to Code Section 20-2-67, or if it has been  
405 designated as a high-risk local school system, that it has a written corrective action plan

406 in place and that local school system board members and appropriate personnel  
407 participate in required training to address the deficiencies;  
408 (4) Upholding charter school autonomy in school governance, instructional program  
409 implementation, personnel, and budgeting;  
410 (5) Protecting students and holding charter schools accountable for their obligations to  
411 all students; and  
412 (6) Protecting the public interest and holding charter schools accountable for their  
413 obligations of governance, management, and oversight of public funds."

414 **PART II**

415 **SECTION 2-1.**

416 Said title is further amended in Code Section 20-2-73, relating to suspension and removal of  
417 local school board members upon potential loss of accreditation, by revising paragraph (1)  
418 of subsection (a) as follows:

419 "(a)(1) Notwithstanding Code Section 20-2-54.1 or any other provisions of law to the  
420 contrary, if:

421 (A) A local school system or school is placed on the level of accreditation immediately  
422 preceding loss of accreditation for any reason or reasons by one or more accrediting  
423 agencies included in subparagraph (A) of paragraph (6) of Code Section 20-3-519, the  
424 local board of education shall notify the State Board of Education in writing within  
425 three business days of such placement and the State Board of Education shall conduct  
426 a hearing in not less than ten days of such notice nor more than 90 days and recommend  
427 to the Governor whether to suspend all eligible members of the local board of education  
428 with pay; or

429 (B) One-half or more of the schools in a local school system are turnaround eligible  
430 schools, as defined in subsection (a) of Code Section 20-14-45, for the fifth or more  
431 consecutive year, the Department of Education shall notify the State Board of  
432 Education in writing within three business days of the publication of the list of  
433 turnaround eligible schools by the Office of Student Achievement, and the State Board  
434 of Education with input from the State School Superintendent shall conduct a hearing  
435 in not less than ten days of such notice nor more than 90 days and recommend to the  
436 Governor whether to suspend all eligible members of the local board of education with  
437 pay; provided, however, that this subparagraph shall be tolled for a local board of  
438 education while under a contract amendment or intervention contract pursuant to Code  
439 Section 20-14-45 so long as such local board of education is in substantial compliance  
440 with the terms of such contract amendment or intervention contract."

441

**SECTION 2-2.**

442 Said title is further amended by revising subsection (b) of Code Section 20-2-84.2, relating  
443 to state monitoring of flexibility contracts, as follows:

444 "(b) The ~~Office of Student Achievement~~ Department of Education shall monitor each local  
445 school system's progress toward meeting its performance goals in its contract and shall ~~the~~  
446 notify the ~~department~~ State Board of Education if a local school system is not in  
447 compliance with such performance goals. The department shall provide support and  
448 guidance to school systems not meeting their yearly progress goals."

449

**SECTION 2-3.**

450 Said title is further amended in Code Section 20-14-41, relating to appropriate levels of  
451 intervention for failing schools, master or management team, school improvement team,  
452 annual reports, data revision, and hearing, by revising subsection (h) as follows:

453 "(h)(1) The ~~State Board of Education~~ Chief Turnaround Officer shall prepare an annual  
454 report detailing the schools that have received an unacceptable rating for one or more  
455 consecutive years and the interventions applied to each such school pursuant to this Code  
456 section Section 20-14-41.

457 (2) The ~~State Board of Education~~ Chief Turnaround Officer shall provide the annual  
458 report no later than December 31 for the previous academic year, to the Governor, the  
459 Lieutenant Governor, the Speaker of the House of Representatives, the chairpersons of  
460 the House Committee on Education and the Senate Education and Youth Committee, and  
461 the Education Turnaround Advisory Committee."

462

**SECTION 2-4.**

463 Said title is further amended by revising Code Section 20-14-43, relating to the Chief  
464 Turnaround Officer, qualifications, and duties, as follows:

465 "20-14-43.

466 (a) There is created the position of Chief Turnaround Officer. The ~~State Board of~~  
467 ~~Education~~ Governor, after consulting with the State School Superintendent and the  
468 Education Turnaround Advisory Council and, in his or her discretion, conducting a national  
469 search, shall appoint the Chief Turnaround Officer who shall serve at the pleasure of the  
470 ~~state board~~ Governor. The Chief Turnaround Officer shall be an employee of the  
471 Department of Education ~~but shall report directly to the state board in the school~~  
472 improvement division.

473 (b) The Chief Turnaround Officer shall have the following qualifications:

474 (1) Extensive personal experience in turning around low-performing schools, including  
475 expertise in turnaround strategies, curriculum, instruction, and teacher and principal  
476 effectiveness;

477 (2) Has held the position of at least principal or a higher administrative position in a  
478 public school system for a minimum of five years with demonstrated skills in school  
479 management, budget, finance, federal and state programs, funding sources, and talent  
480 management; and

481 (3) Such additional education, experience, and other qualifications as determined by the  
482 Governor, in consultation with the State Board of Education and the State School  
483 Superintendent.

484 (c) The duties of the Chief Turnaround Officer shall include, but are not limited to:

485 (1) Managing and overseeing a system of supports and assistance for the  
486 lowest-performing schools in this state identified as in the greatest need of assistance;

487 (2) Identifying resources, including the establishment of a resource list of evidence based  
488 strategies and integrated student services, and consulting with regional educational  
489 service agencies to determine specific expertise and resources available at each such  
490 regional educational service agency directly relating to school turnaround;

491 (3) Annually establishing a list of third-party specialists, including auditors and  
492 consultants, to assist schools and local school systems in conducting comprehensive  
493 on-site evaluations of schools to determine the root causes of low performance and lack  
494 of progress, to assist schools and local school systems in the implementation of intensive  
495 school improvement plans, or to provide any of the necessary support services as  
496 specified in the engagement letter or contract. Such list of third-party specialists shall be  
497 established through a request for proposals process and approved by the State Board of  
498 Education. Such request for proposals shall be designed with input from the Education  
499 Turnaround Advisory Council;

500 (4) Coordinating with the ~~school improvement division within the Department of~~  
501 ~~Education and coordinating and working with the State School Superintendent and the~~  
502 Office of Student Achievement to identify all state resources and supports available to  
503 the lowest-performing schools in the greatest need of assistance;

504 (5) Identifying turnaround coaches pursuant to Code Section 20-14-44 to serve as the  
505 assigned state site liaison in the school improvement process;

506 (6) Building school level leadership capabilities, in cooperation with agencies and  
507 organizations that have experience and capacity, and providing leadership development  
508 opportunities for principals and other school level leaders in turnaround eligible schools  
509 selected by the Chief Turnaround Officer; and

510 (7) Identifying best practices for school turnaround, including identifying those practices  
511 that are not successful in improving student outcomes, and sharing such information with  
512 local school systems and schools in this state.

513 (d) ~~The Chief Turnaround Officer, the State School Superintendent, and the staff and all~~  
514 ~~divisions of the Department of Education shall work collaboratively and shall coordinate~~  
515 ~~as necessary to facilitate the implementation of this part.~~ The Department of Education  
516 shall establish the state plan pursuant to the federal Every Student Succeeds Act in a  
517 manner that pursues and allows maximum flexibility to implement the provisions of this  
518 part."

## 519 SECTION 2-5.

520 Said title is further amended by revising Code Section 20-14-44, relating to turnaround  
521 coaches and roles, as follows:

522 "20-14-44.

523 (a) The Chief Turnaround Officer, ~~after consulting with the recommendation of the State~~  
524 ~~School Superintendent, shall recommend propose~~ individuals experienced in turning  
525 around schools that have similar needs and characteristics as those schools identified  
526 pursuant to Code Section 20-14-45, to serve as turnaround coaches, subject to approval by  
527 the state board.

528 (b) Turnaround coaches shall assist schools that are identified as ~~in having~~ the greatest  
529 need ~~of for~~ assistance pursuant to Code Section 20-14-45 with ongoing assistance and input  
530 and shall serve as contract managers to ensure conformance to contract terms. Turnaround  
531 coaches shall be assigned to one or more schools which are under a contract amendment  
532 or intervention contract pursuant to Code Section 20-14-45.

533 (c) Turnaround coaches may provide such other services and supports as determined by  
534 the Chief Turnaround Officer."

## 535 SECTION 2-6.

536 Said title is further amended by revising Code Section 20-14-45, relating to the definition of  
537 turnaround eligible schools, identification, and role of local boards of education, as follows:

538 "20-14-45.

539 (a) As used in this Code section, the term 'turnaround eligible schools' means the schools  
540 that have performed in the lowest 5 percent of schools in this state identified in accordance  
541 with the state-wide accountability system established in the state plan pursuant to the  
542 federal Every Student Succeeds Act.

543 (b) The Chief Turnaround Officer, in conjunction with the ~~Department of Education State~~  
544 ~~School Superintendent~~ and the Office of Student Achievement, shall annually identify the

545 lowest-performing schools that are deemed ~~to be in as having~~ the greatest need ~~of for~~  
546 assistance based on a list of turnaround eligible schools prepared annually by the Office of  
547 Student Achievement. If the Chief Turnaround Officer, after consulting with ~~Department~~  
548 ~~of Education staff and the State School Superintendent,~~ determines that the capacity and  
549 resources available to the Chief Turnaround Officer and to the Department of Education  
550 are insufficient to serve all schools on the turnaround eligible schools list, the Chief  
551 Turnaround Officer may select a subset of such schools based on the following factors:

552 (1) Whether the school's rating has been improving or declining over the previous three  
553 years, based on the state-wide accountability system;

554 (2) Whether the contract for strategic waivers school systems or the charter for charter  
555 systems adequately addresses the school's deficiencies;

556 (3) Whether the school is in a local school system with a recent accreditation report  
557 showing deficiencies in system level governance, school level leadership, system and  
558 school level resource utilization, or school level achievement, including the areas of  
559 reading and mathematics proficiencies;

560 (4) Whether the school is located in a local school system in which one-half or more of  
561 the schools are on the turnaround eligible schools list for the fifth or more consecutive  
562 year;

563 (5) Whether the school is in close proximity to a school that will be served pursuant to  
564 paragraphs (1), (2), (3), or (4) of this subsection; and

565 (6) Any other factors deemed appropriate by the Chief Turnaround Officer.

566 (c) The Chief Turnaround Officer shall extend an opportunity to the local boards of  
567 education for each school identified pursuant to subsection (b) of this Code section to  
568 amend the contract entered into pursuant to Code Section 20-2-83 for strategic waivers  
569 school systems or to amend the charter, for charter systems. The amendment shall be for  
570 the purposes of agreeing to receive assistance pursuant to this part for such identified  
571 school or schools. For any such local board of education that is offered the opportunity to  
572 amend its system contract or charter but that does not sign an amendment within 60 days  
573 of being offered the amendment or that declines to sign an amendment, the State Board of  
574 Education shall within 60 days either implement one or more of the interventions contained  
575 in paragraph (6) of subsection (a) of Code Section 20-14-41 for such school or terminate  
576 the system contract or charter as allowed by the terms of such contract or charter.

577 (d) For any local school system that is not a charter system or a strategic waivers school  
578 system, the Chief Turnaround Officer shall extend an opportunity to the local board of  
579 education for each school identified pursuant to subsection (b) of this Code section to enter  
580 into an intervention contract for the purposes of agreeing to receive assistance pursuant to  
581 Code Section 20-14-46 for such identified school or schools. For any such local board of

582 education that is offered the opportunity to enter into an intervention contract but that  
583 declines, the State Board of Education shall immediately implement one or more of the  
584 interventions contained in paragraph (6) of subsection (a) of Code Section 20-14-41 for  
585 such school.

586 (e) For any school on the turnaround eligible school list which is not selected as part of the  
587 subset of schools to be assisted by the Chief Turnaround Officer due to insufficient  
588 capacity and resources, the Department of ~~Education, through its~~ Education's school  
589 improvement division, shall begin or continue focused supports and a pre-diagnostic  
590 review utilizing all relevant data held at the state level as it relates to the local school  
591 system and school, including financial audits, funding allotments, federal funds, state  
592 assessment data, and the most recent local school system accreditation report regarding  
593 system level governance and leadership, resource utilization, teaching and learning  
594 effectiveness, and academic achievement."

595 **SECTION 2-7.**

596 Said title is further amended in Code Section 20-14-46, relating to on-site diagnostic review  
597 by third-party specialist and development of intensive school improvement plan, by revising  
598 subsection (d) as follows:

599 "(d) Based on the evaluation and recommendations and after public input from parents and  
600 the community, the school shall develop an intensive school improvement plan, approved  
601 by the Chief Turnaround Officer, that specifically addresses the academic insufficiencies  
602 identified by the school's rating in the single state-wide accountability system. The local  
603 board of education shall not be eligible for supplemental funding to support the  
604 implementation of the plan unless such local board demonstrates financial need based on  
605 its most current annual budget and the results of the most recent audit. The local board of  
606 education shall coordinate the hiring and contract renewal process for personnel and the  
607 allocation of school resources to support such plan. In developing the timelines in the  
608 intensive school improvement plan, the school shall take into consideration the budget  
609 cycles, employment contract deadlines, and other appropriate factors relating to the  
610 planning process. The school, with the support of the local board of education, local school  
611 superintendent, and principal, shall implement the plan with ongoing input and assistance  
612 from the Chief Turnaround Officer and performance monitoring by the ~~turnaround coach~~  
613 Department of Education's school improvement division."

614 **SECTION 2-8.**

615 Said title is further amended by revising Code Section 20-14-48, relating to individual  
616 assessments of low performing students in turnaround eligible schools, as follows:

617 "20-14-48.

618 (a) ~~The State Board of Education~~ State School Superintendent shall ensure that all  
619 necessary department resources and supports are made available for full implementation  
620 of this part, including, but not limited to, the implementation of the intensive school  
621 improvement plans established pursuant to Code Section 20-14-46 for schools for which  
622 a local board of education has entered into a contract amendment or intervention contract  
623 with the State Board of Education pursuant to Code Section 20-14-45. Further, the ~~State~~  
624 ~~Board of Education~~ State School Superintendent shall ensure that such schools receive  
625 priority for the receipt of federal and state funds available to the Department of Education  
626 to the fullest extent possible under federal and state law, including, but not limited to,  
627 federal school improvement grants and Title I funds. The ~~State Board of Education~~ State  
628 School Superintendent shall also pursue maximum flexibility in applying for and  
629 expending federal funds, including, but not limited to, the consolidation of all federal, state,  
630 and local funds in compliance with federal law.

631 (b) ~~The Office of Student Achievement~~ shall give priority to schools for which a local  
632 board of education has entered into a contract amendment or intervention contract with the  
633 State Board of Education pursuant to Code Section 20-14-45 when awarding grants  
634 pursuant to subsection (b.1) of Code Section 20-14-26.1 or any other grants administered  
635 by the office.

636 (c)(1) ~~The Office of Student Achievement~~ shall be authorized to provide for grants,  
637 subject to appropriations, to assist schools in local school systems under a contract  
638 amendment or intervention contract pursuant to Code Section 20-14-45 with  
639 demonstrated financial need in:

640 (A) ~~Retaining the services of a third-party specialist to assist in the implementation of~~  
641 ~~an intensive school improvement plan developed pursuant to Code Section 20-14-46~~  
642 ~~or to provide any other support services deemed necessary pursuant to such plan;~~  
643 (B) ~~Assessing low-performing students and obtaining specified supports for such~~  
644 ~~students as delineated in subsection (a) of Code Section 20-14-47; or~~  
645 (C) ~~Both subparagraph (A) and subparagraph (B) of this paragraph.~~

646 (2) ~~A school under a contract amendment or intervention contract pursuant to Code~~  
647 ~~Section 20-14-45 with a demonstrated financial need may, upon consultation with the~~  
648 ~~turnaround coach for the school, request grant funds pursuant to this subsection. Upon~~  
649 ~~approval by the Chief Turnaround Officer, the grant request may be submitted to the~~  
650 ~~Office of Student Achievement. The award of any grant funds shall be at the discretion~~  
651 ~~of the Office of Student Achievement, including the amount of any such grant funds~~  
652 ~~awarded. The Office of Student Achievement shall prescribe criteria, policies, and~~

653 standards deemed necessary for the effective implementation of this subsection, including  
654 criteria for a local school system to demonstrate financial need."

655 **SECTION 2-9.**

656 Said title is further amended by revising Code Section 20-14-49, relating to failure to  
657 progress after implementation of intensive school improvement plan and interventions, as  
658 follows:

659 "20-14-49.

660 (a) If after three school years of implementing the intensive school improvement plan  
661 developed pursuant to Code Section 20-14-46, the school is not improving, as determined  
662 by the Chief Turnaround Officer based on the terms of the amended contract, amended  
663 charter, or the intervention contract and on other applicable factors, the Chief Turnaround  
664 Officer shall require that one or more of the following interventions be implemented at the  
665 school, unless the school is in substantial compliance with the implementation of the  
666 intensive school improvement plan and has exhibited ongoing cooperation and  
667 collaboration:

668 (1) Continued implementation of the intensive school improvement plan developed  
669 pursuant to Code Section 20-14-46;

670 (2) Removal of school personnel, which may include the principal and personnel whose  
671 performance has been determined to be insufficient to produce student achievement  
672 gains;

673 (3) Implementation of a state charter school or a special school, as defined in Code  
674 Section 20-2-2062;

675 (4) Complete reconstitution of the school, removing all personnel, appointing a new  
676 principal, and hiring all new staff. Existing staff may reapply for employment at the  
677 newly reconstituted school but shall not be rehired if their performance regarding student  
678 achievement has been negative for the past four years;

679 (5) Operation of the school by a private nonprofit third-party operator selected and  
680 contracted by the local board of education;

681 (6) Mandatory parental option to relocate the student to another public school in the local  
682 school system that does not have an unacceptable rating, to be chosen by the parents of  
683 the student from a list of available options provided by the local school system. The local  
684 school system shall provide transportation for students in Title I schools in accordance  
685 with the requirements of federal law. The local school system may provide transportation  
686 for students in non-Title I schools. In any year in which the General Assembly does not  
687 appropriate funds for the provision of transportation to non-Title I students, the parent or  
688 guardian shall assume responsibility for the transportation of that student;

689 (7) Complete restructuring of the school's governance arrangement and internal  
690 organization of the school;  
691 (8) Operation of the school by a successful school system and pursuant to funding  
692 criteria established by the State Board of Education; or  
693 (9) Any other interventions or requirements deemed appropriate by the Chief Turnaround  
694 Officer and the State Board of Education for the school and in accordance with the  
695 amended contract, amended charter, or intervention contract, except that operation of the  
696 school by a for profit entity shall be prohibited.  
697 (b) Before the implementation of any interventions required by the Chief Turnaround  
698 Officer pursuant to subsection (a) of this Code section for a school, the local board of  
699 education may request an opportunity for a hearing before the State Board of Education to  
700 show cause as to why an intervention or interventions imposed by the Chief Turnaround  
701 Officer for a school should not be required or that alternative interventions would be more  
702 appropriate. Such request shall be made no later than 30 days after notification by the  
703 Chief Turnaround Officer of the intended interventions. The State Board of Education  
704 shall take into consideration the substantial compliance of the school in the implementation  
705 of the intensive school improvement plan and the ongoing cooperation and collaboration  
706 exhibited by the school. The State Board of Education shall make a determination on any  
707 such request no later than 60 days after receipt of such request. The determination of the  
708 State Board of Education, with input from the State School Superintendent, shall be the  
709 final decision."

## 710 SECTION 2-10.

711 Said title is further amended by revising Code Section 20-14-49.1, relating to the Education  
712 Turnaround Advisory Council creation, composition, administration, and role, as follows:  
713 "20-14-49.1.  
714 (a) There is created the Education Turnaround Advisory Council which shall report to the  
715 ~~State Board of Education~~ State School Superintendent. The Education Turnaround  
716 Advisory Council shall be composed of:  
717 (1) The executive director of the Georgia School Boards Association or his or her  
718 designee;  
719 (2) The executive director of the Georgia School Superintendents Association or his or  
720 her designee;  
721 (3) The executive director of the Professional Association of Georgia Educators or his  
722 or her designee;  
723 (4) The executive director of the Georgia Association of Educators or his or her  
724 designee;

725 (5) The executive director of the Georgia Association of Educational Leaders or his or  
726 her designee;  
727 (6) The president of the Georgia Parent Teacher Association;  
728 (7) The executive director of Educators First or his or her designee; and  
729 (8) Education leaders representing local school superintendents, local boards of  
730 education, teachers, business leaders, or other appropriate individuals with interest in  
731 public education appointed as follows:  
732 (A) Two education leaders appointed by the Lieutenant Governor; and  
733 (B) Two education leaders appointed by the Speaker of the House of Representatives.  
734 (b) The ~~chairperson of the State Board of Education~~ State School Superintendent shall  
735 cause the council to be convened no later than 30 days after the last appointment is made  
736 to the council. The council shall select a chairperson from among its membership.  
737 (c) The Education Turnaround Advisory Council shall be authorized to:  
738 (1) Submit to the ~~State Board of Education~~ Governor's office names of potential  
739 candidates for the position of Chief Turnaround Officer and for turnaround coaches;  
740 (2) Recommend school turnaround resources and potential turnaround experts to be  
741 added to resource lists;  
742 (3) Provide advisement on the development of state-wide assessment tools;  
743 (4) Provide advisement to the State School Superintendent and Chief Turnaround  
744 Officer, as necessary;  
745 (5) Provide recommendations and input on the request for proposals process conducted  
746 pursuant to paragraph (3) of subsection (c) of Code Section 20-14-43 to establish a list  
747 of approved third-party specialists that may be retained to assist in the evaluation of  
748 schools; and  
749 (6) Perform such other duties as assigned by the ~~State Board of Education~~ State School  
750 Superintendent.  
751 (d) The Education Turnaround Advisory Council shall have no authority and shall only be  
752 advisory in nature."

## 753 SECTION 2-11.

754 Said title is further amended by adding a new Code section to read as follows:  
755 "20-14-49.3.  
756 (a) The State School Superintendent shall conduct a pilot program to provide stipends for  
757 turnaround instructional innovation specialists. The intent of the pilot program shall be to  
758 recruit, select, hire, develop, and retain highly effective teacher leaders to work in  
759 turnaround schools. Such pilot program shall be conducted for five school years, beginning  
760 with school year 2019-2020. The State School Superintendent shall select turnaround

761 schools that are under a contract amendment or intervention contract pursuant to Code  
762 Section 20-14-45 to participate in the pilot program.

763 (b) Turnaround instructional innovation specialists in the pilot program shall be eligible  
764 to receive a stipend funded by a 2:1 state/local partnership of \$5,000.00 state funds and  
765 \$2,500.00 local funds. Stipends shall be subject to final approval by the State Board of  
766 Education and contingent on participation by the local board of education. In order to  
767 qualify for such stipend, a turnaround instructional innovation specialist shall:

768 (1) Agree to teach in a turnaround school for at least three consecutive years; and  
769 (2) Agree to such other criteria and scope of work expectations in accordance with  
770 subsection (c) of this Code section.

771 (c) The criteria and scope of work expectations for turnaround instructional innovation  
772 specialists shall be developed by the State School Superintendent, with input from the  
773 Chief Turnaround Officer, the Georgia Professional Standards Commission, the  
774 Department of Education's Teacher and Leader Support and Development Division, the  
775 Georgia Association of Colleges for Teacher Education, and representatives of local school  
776 systems that are under a contract amendment or intervention contract pursuant to Code  
777 Section 20-14-45. Such criteria and scope of work expectations may include, but are not  
778 limited to:

779 (1) Teaching a full class schedule or an alternate model that maximizes the teacher's  
780 impact on a broader number of students and other teachers, such as a blended learning  
781 format;

782 (2) Attending scheduled professional learning courses to strengthen his or her  
783 instructional and leadership capacity;

784 (3) Fostering a collaborative culture to support educator development and student  
785 learning;

786 (4) Accessing and using research to improve practice and student learning;

787 (5) Promoting professional learning for continuous improvement;

788 (6) Facilitating improvements in instruction and student learning;

789 (7) Promoting the use of assessments and data for school and district improvement; and

790 (8) Advocating for student learning and the teaching profession.

791 (d) A turnaround instructional innovation specialist may continue to receive a stipend  
792 pursuant to subsection (b) of this Code section if he or she meets the expectations of his or  
793 her job, which may be measured by such factors, including, but not limited to:

794 (1) The rating on his or her annual summative performance evaluation conducted  
795 pursuant to Code Section 20-2-210;

796 (2) The school's progress on components of its College and Career Ready Performance  
797 Index (CCRPI) rating and performance on Beating the Odds analysis;

798 (3) Survey feedback from other teachers impacted by such turnaround instructional  
799 innovation specialist;  
800 (4) The recommendation of the local school system based on the scope of work specific  
801 to such turnaround instructional innovation specialist's assignment; and  
802 (5) The recommendation of the Chief Turnaround Officer.  
803 (e) After receiving a stipend for three consecutive years, a turnaround instructional  
804 innovation specialist shall be eligible for conversion from the stipend to a permanent salary  
805 step increase on the state salary schedule, subject to recommendation by the Chief  
806 Turnaround Officer and approval by the State School Superintendent, and shall be eligible  
807 for consideration, at the sole discretion of the local board of education, for continuation of  
808 receipt of the local portion of the stipend of \$2,500.00.  
809 (f) The State School Superintendent shall provide a final report on the pilot program  
810 established pursuant to this Code section to the General Assembly no later than  
811 December 1, 2024. Such report shall include a recommendation as to whether or not to  
812 implement the program on a state-wide basis, and if so, any recommended changes to the  
813 design of such program.  
814 (g) This Code section shall be subject to appropriations by the General Assembly."

815 **PART III**  
816 **SECTION 3-1.**

817 Said title is further amended by revising Code Section 20-2-989.7, relating to matters not  
818 subject to complaint, as follows:  
819 "20-2-989.7.  
820 (a)(1) Except as otherwise provided in paragraph (2) of this subsection, the The  
821 performance ratings contained in personnel evaluations conducted pursuant to Code  
822 Section 20-2-210, professional development plans, and job performance shall not be  
823 subject to complaint under the provisions of this part; provided, however, that this shall  
824 not apply to procedural deficiencies on the part of the local school system or charter  
825 school in conducting an evaluation pursuant to Code Section 20-2-210.  
826 (2) For teachers who have accepted a school year contract for the fourth or subsequent  
827 consecutive school year, performance ratings of 'Unsatisfactory,' 'Ineffective,' or 'Needs  
828 Development' contained in personnel evaluations conducted pursuant to Code Section  
829 20-2-210, procedural deficiencies on the part of the local school system or charter school  
830 in conducting an evaluation pursuant to Code Section 20-2-210, and job performance  
831 shall be subject to appeal pursuant to this paragraph. Local units of administration shall  
832 establish an appeals policy that shall allow a teacher to appeal a performance rating of

833 'Unsatisfactory,' 'Ineffective,' or 'Needs Development.' Such appeals policy shall include  
834 a method and reasonable timelines for filing an appeal that minimize the burden on both  
835 parties, a statement that a teacher shall not be the subject of any reprisal as a result of  
836 filings an appeal pursuant to this paragraph, a provision that an appeal hearing may be  
837 conducted by an independent third party or by an administrator in the system office on  
838 behalf of the school official or local unit of administration, and a method to receive the  
839 decision of the independent third party or system administrator. Should any reprisal  
840 occur, the teacher may refer the matter to the Professional Standards Commission. Each  
841 local unit of administration shall submit a copy of its appeals policy established pursuant  
842 to this paragraph to the Department of Education no later than September 1, 2019, and  
843 any time thereafter if material changes are made to such policy.

844 (3) The termination, nonrenewal, demotion, suspension, or reprimand of any employee,  
845 as set forth in Code Section 20-2-940, and the revocation, suspension, or denial of  
846 certificates of any employee, as set forth in Code Section 20-2-984.5, shall not be subject  
847 to complaint under the provisions of this part.

848 (b) A certified employee who chooses to appeal under Code Section 20-2-1160 shall be  
849 barred from pursuing the same complaint under this part."

850 **PART IV**  
851 **SECTION 4-1.**

852 Said title is further amended by revising Code Section 20-2-58, relating to regular monthly  
853 meetings of local boards, adjournment, temporary presiding officer, and notice of date, as  
854 follows:

855 "20-2-58.

856 (a) It shall be the duty of each local board of education to hold a regular meeting during  
857 each calendar month for the transaction of business pertaining to the public schools. Any  
858 such meeting may be adjourned from time to time, and, in the absence of the president or  
859 secretary, the members of the local board may appoint one of their own number to serve  
860 temporarily. The local board shall annually determine the date of its meeting and shall  
861 publish it either in the official county organ or, at the option of the local board of education,  
862 in a newspaper having a general circulation in said county at least equal to that of the  
863 official county organ for two consecutive weeks following the setting of the date; provided,  
864 however, that the date shall not be changed more often than once in 12 months and, if  
865 changed, the new date shall also be published as provided in this Code section.

866 (b) Each local board of education shall provide a public comment period during every  
867 regular monthly meeting. Such public comment period shall be included on the agenda

868 required to be made available and posted prior to the meeting pursuant to paragraph (1) of  
869 subsection (e) of Code Section 50-14-1. A local board of education shall not require notice  
870 by an individual more than 24 hours prior to the meeting as a condition of addressing the  
871 local board during such public comment period. The chairperson of the local board of  
872 education shall have the discretion to limit the length of time for individual comments and  
873 the number of individuals speaking for or against a specific issue."

874 **PART V**  
875 **SECTION 5-1.**

876 All laws and parts of laws in conflict with this Act are repealed.